

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY

MARY LOU REDDEN,

Plaintiff,

v.

CIVIL ACTION NO. 5:14-cv-4452

**CAROLYN W. COLVIN,
Acting Commissioner of Social Security,**

Defendant.

PROPOSED FINDINGS AND RECOMMENDATION

Currently pending before the court is Defendant's Motion to Remand filed April 10, 2014 (ECF No. 8). This case was referred to this United States Magistrate Judge by standing order to consider the pleadings and evidence, and to submit proposed findings of fact and recommendation for disposition all pursuant to 28 U.S.C. § 636(b)(1)(B).

Defendant moves the court for the entry of an order remanding this case to the Commissioner for further administrative proceedings pursuant to the sixth sentence of 42 U.S.C. § 405(g). Counsel for Claimant has no objection to Defendant's Motion.

It is hereby respectfully RECOMMENDED that the District Court **GRANT** Defendant's Motion to Remand and remand Claimant's case to the Commissioner pursuant to the sixth sentence of 42 U.S.C. § 405(g), for further proceedings as outlined in Defendant's Motion.

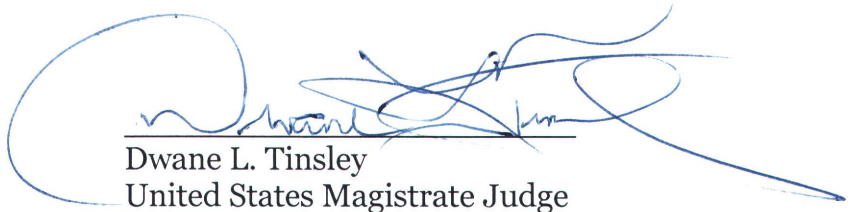
The parties are notified that this Proposed Findings and Recommendation is hereby FILED and a copy will be submitted to the Honorable Irene C. Berger. Pursuant to the provisions of Title 28, United States Code, Section 636(b)(1)(B), and Rules 6(d)

and 72(b), Federal Rules of Civil Procedure, the parties shall have three days (mailing/service) and then ten days (filing of objections) from the date of filing this Proposed Findings and Recommendation within which to file with the Clerk of this court specific written objections identifying the portions of the Proposed Findings and Recommendation to which objection is made and the basis of such objection. Extension of this time period may be granted for good cause shown.

Failure to file written objections as set forth above shall constitute a waiver of *de novo* review by the District Court and a waiver of appellate review by the Circuit Court of Appeals. *Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *Wright v. Collins*, 766 F.2d 841, 846 (4th Cir. 1985); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984). Copies of such objections shall be served on opposing parties, Judge Berger and this Magistrate Judge.

The Clerk is directed to file this Proposed Findings and Recommendation and to mail a copy of the same to counsel of record.

ENTER: April 15, 2014



Dwane L. Tinsley
United States Magistrate Judge